

1 RICHARD A. JONES (Bar No. 135248)
2 Email: rjones@cov.com
3 COVINGTON & BURLING LLP
4 1 Front Street
5 San Francisco, CA 94111
6 Telephone: (415) 591-6000
7 Facsimile: (415) 591-6091

8 THOMAS S. WILLIAMSON, JR. (*Pro hac vice*)
9 Email: twilliamson@cov.com
10 BENJAMIN J. RAZI (*Pro hac vice*)
11 Email: brazi@cov.com
12 SHIMICA D. GASKINS (*Pro hac vice*)
13 Email: sgaskins@cov.com
14 COVINGTON & BURLING LLP
15 1201 Pennsylvania Ave., N.W.
16 Washington, DC 20004
17 Telephone: (202) 662-6000
18 Facsimile: (202) 662-6291

19 Attorneys for Defendant
20 GILEAD SCIENCES, INC.

21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID MOORE,
Plaintiff,
v.
GILEAD SCIENCES, INC.,
Defendant.

Case No. CV 07-3850 SI

**AMENDED JOINT STIPULATION
ON PROPOSED PRETRIAL
DISCOVERY DATES**

Judge: Honorable Susan Y. Illston

TO THE HONORABLE COURT:

Plaintiff David Moore (hereinafter, "Moore" or "Plaintiff") and Defendant Gilead Sciences, Inc. (hereinafter, "Gilead" or "Defendant") by and through their respective counsel of record, hereby stipulate and agrees as follows:

WHEREAS, on December 22, 2011, the parties submitted a Joint Stipulation on Proposed Pretrial Discovery Dates (the “Stipulation”), which the Court so ordered on December 27, 2011;

WHEREAS, the Stipulation provided for fact discovery to be concluded by January 27, 2012, and for expert discovery, further briefing on Gilead's motion for sanctions, and dispositive motions to follow thereafter;

WHEREAS, as a result of scheduling issues with third-party witnesses, fact discovery will continue two weeks longer than envisioned in the Stipulation -- until February 10, 2012;

Accordingly, Gilead believes it is appropriate to adjust the briefing schedule on the pending motion for sanctions and for dispositive motions, as set forth below, and the Plaintiff has agreed to and joins in Gilead's request. The only proposed dates that have been changed from the parties' prior Stipulation are the date for Gilead's reply brief in support of its motion for sanctions (which, if the Court agrees, would be filed on February 17, 2012, as opposed to on February 10, 2012) and the dispositive motion briefing and hearing dates (all of which, if the Court agrees, would be extended by 14 days to account for the 14-day enlargement of the period for fact discovery). The parties' amended proposed pretrial schedule is as follows:

Motion for Sanctions

Gilead's Reply Due: February 17, 2012;

Hearing: March 2, 2012

Dispositive Motions, Pretrial Conference, and Trial

Dispositive Motions: February 27, 2012;

Oppositions Due: March 21, 2012;

Reply Due: March 28, 2012;

Hearing: April 13, 2012

Trial Documents Due: April 3, 2012;

Pretrial Conference: April 17, 2012;

Trial: April 30, 2012;

NOW, IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES, and their undersigned counsel; and the parties, therefore, respectfully request that the Court enter the proposed pretrial schedule.

Dated: February 6, 2012

By: /s/ Shimica D. Gaskins
SHIMICA D. GASKINS (*PRO HAC VICE*)
THOMAS S. WILLIAMSON, JR. (*PRO HAC
VICE*)
BENJAMIN J. RAZI (*PRO HAC VICE*)
Email: brazi@cov.com
COVINGTON & BURLING LLP
1201 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20004
(202) 662-6000
TWILLIAMSON@COV.COM
SGASKINS@COV.COM

Attorneys for Defendant Gilead Sciences, Inc.

By: /s/ Rob Hennig
ROB HENNIG (STATE BAR NO. 174646)
LAW OFFICES OF ROB HENNIG
1875 CENTURY PARK EAST, SUITE 1770.
LOS ANGELES, CA 90067
(310) 843-0020
FAX: (310) 843-9150
ROB@ROBHENNIG.COM

WAYNE SMITH
LAW OFFICES OF VICTOR L. GEORGE
20355 Hawthorne Blvd., 1st Floor
Torrance, CA 90503
(310) 698-0990
Fax: (310) 698-0995

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



wsmith@vgeorgelaw.com

Attorneys for Plaintiff David Moore

GENERAL ORDER 45, SECTION X.B. ATTESTATION

I hereby attest that we have obtained concurrence in this filing for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

By: /s/ Shimica D. Gaskins

SHIMICA D. GASKINS (*PRO HAC VICE*)

COVINGTON & BURLING LLP

1201 PENNSYLVANIA AVE., N.W.

WASHINGTON, DC 20004

(202) 662-6000

SGASKINS@COV.COM

Attorney for Defendant Gilead Sciences, Inc.